



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

JAN 5 1989

Ms. Patricia Bailey  
Director of Office of Real Estate Sales  
General Services Administration  
Region IV  
75 Spring Street, SW  
Atlanta, GA 30303

Re: Occidental Chemical Corporation Site,  
Montgomery County, PA

Dear Ms. Bailey:

The United States Environmental Protection Agency ("EPA"), by this letter, notifies you that the General Services Administration ("GSA") is a Potentially Responsible Party ("PRP") for contamination at the Occidental Chemical Corporation Site ("Site") located in Pottstown, Montgomery County, Pennsylvania.

EPA has determined that a response action at the Site is necessary and encourages your agency's participation in the activities described below. As further described below EPA hereby requests that your agency notify EPA, within, fourteen (14) calendar days of receipt of this letter, whether it is interested in participating in this project. If we do not hear from your agency by that time, EPA will assume that GSA will not participate in the project.

Pursuant to Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9606(a) and 9607(a), as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Law No. 99-499, 100 Stat. 1613 (October 17, 1986) ("CERCLA"), responsible parties may be obligated to implement any needed response actions as determined by EPA and may also be liable for all costs incurred by the United States government in responding to any release or threatened release of hazardous substances at the Site. Such costs can include, but are not limited to, expenditures for conducting a Remedial Investigation/Feasibility Study ("RI/FS") and other investigations,

planning, response, and enforcement activities.

EPA has evaluated information in connection with the investigation of the Site. Based on this evidence, EPA believes that your agency may be a PRP with respect to this Site. Responsible parties under Section 107(a) of CERCLA, 42 U.S.C. 9607(a), include: 1) current owners and/or operators of the Site; 2) owners and/or operators at the time of disposal of hazardous substances at the Site; 3) any person who arranged for disposal of hazardous substances at the Site; and, 4) transporters of hazardous substances to the Site. EPA's records indicate that the GSA owned the Site at the time of disposal of hazardous substances at the Site from 1942 to 1950.

The EPA has expended public funds to investigate releases of hazardous substances at the Site and it may spend additional public funds to further investigate and control these releases. Unless EPA determines that a PRP will properly perform such actions, EPA intends to so pursuant to Section 104 of CERCLA, 42 U.S.C. 9604, and 40 C.F.R. Section 300.68 of the National Contingency Plan ("NCP").

Specifically, EPA is planning to conduct the following studies at the Site unless an acceptable agreement can be reached:

1. Remedial Investigation (RI)-Further investigations to define the nature and extent of soil, air, ground water, surface water and sediment contamination at the site, and to identify the local hydrogeological characteristics and impact on biotic receptors at the site; and

2. Feasibility Study (FS) - A study to evaluate potential remedial alternatives with emphasis on risk reduction through actions that utilize treatment to permanently and significantly reduce the toxicity, mobility, or volume of hazardous substances, pollutants, or contaminants.

In addition to the above studies, your agency may be asked at a later date to undertake, or may be liable for, any additional corrective measures necessary to protect public health, welfare, or the environment. Such measures may include, but are not limited to:

1. Implementing emergency removal actions, e.g., securing the site to prevent contact with any hazardous substances, pollutants or contaminants that may be present at the site and/or removal of contaminated material from the surface of the site;

2. Implementing expedited response actions, non-time critical removal actions taken when EPA decides to implement a cleanup that does not require extensive study. This type of action must be clearly defined and limited in scope and duration;

3. Designing and implementing the EPA-approved remedial option; and

4. Providing any monitoring and maintenance necessary after remedial measures are completed.

EPA will consider an immediate offer from your agency to conduct ( under EPA supervision ) the RI/FS described above in accordance with a work plan consistent with the enclosed RI/FS guidance. Under Section 104(a) of CERCLA, 42 U.S.C. 9604(a), a determination must be made that the responsible parties are qualified to conduct the RI/FS, and that they will promptly and properly complete the same and agree to reimburse the government for any costs incurred by or in connection with the RI/FS in order to allow the PRP to undertake such action. Any agreement to perform or fund the RI/FS will be embodied in a Consent Order under Section 104 and 106 of CERCLA, 42 U.S.C. 9604 or 9606.

If GSA should decide to participate in the RI/FS process, you should indicate that interest in a letter to the EPA official identified below within fourteen (14) calendar days of receipt of this letter. Your letter should indicate the appropriate name, address, and telephone number for further contact with your agency. If we do not hear from your agency by that time, EPA will assume that GSA declines any involvement in the RI/FS and will proceed with the appropriate studies and any response actions needed to secure the Site. EPA may later invite your agency to undertake the design and implementation of the selected remedy upon EPA's completion of the RI/FS. If your agency is already engaged in any voluntary action, or involved in a lawsuit regarding this Site, your agency should not interpret this letter to advise or direct it to restrict or discontinue any such activities. On the other hand this letter should not be interpreted as endorsing any such efforts. You should report, however, the status of those discussions or that action in your letter to EPA. Your agency should also be aware that this Site is currently proposed for inclusion on the National Priorities List ("NPL"). Once the Site is placed on the NPL, it cannot be delisted until after an RI/FS has been completed and the necessary remedial work concluded in accordance with the enclosed RI/FS guidance and EPA's NCP.

Your company's response should be addressed to:

Suzanne Billings,  
Enforcement Project Manager  
U.S. Environmental Protection Agency Region III  
PA CERCLA Remedial Enforcement Section (3HW12)  
841 Chestnut Building 6<sup>th</sup> Floor  
Philadelphia, PA 19107

Should GSA provide the expression of willingness to conduct or participate in the RI/FS as described above, EPA will refrain from expending funds for the Site for a period of time so that meaningful discussions concerning a Consent Order can take place.

In addition, under Section 122(e) of CERCLA, 42 U.S.C. 9622(e), responsible parties may be extended the opportunity to present a good faith proposal to conduct the RI/FS to EPA within sixty (60) days of receipt of a "special notice" letter. A "special notice" letter may be forwarded to you at such time that your agency has expressed some interest in participating in the RI/FS and EPA determines that such a notice would facilitate an agreement and expedite remedial action.

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not to be, and cannot be relied upon as, a final EPA position on any matter set forth herein.

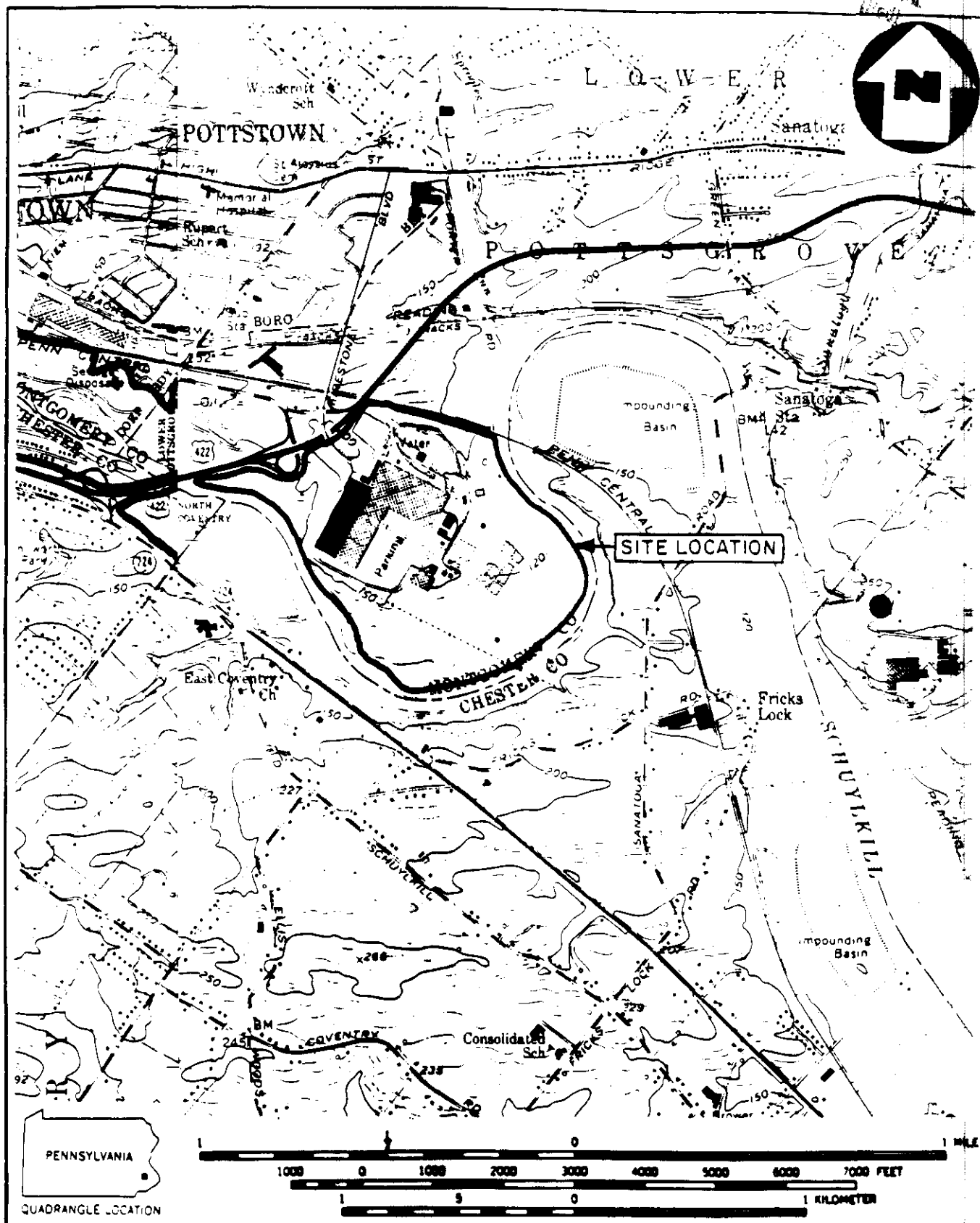
If you have any questions regarding the foregoing, please do not hesitate to contact Suzanne Billings at (215) 597-8240.

Sincerely,

  
Stephen R. Wassersug, Director  
Hazardous Waste Management Division

Enclosures: 1. Location map; 2. EPA RI/FS Guidance; 3. PRP List; 4. Model Consent Order.

cc: James P. Snyder, PADER  
Bruce Diamond, OWPE  
Sue Canning, EPA  
Cecil Rodrigues, EPA



SOURCE: (7.5 MINUTE SERIES) USGS POTTSTOWN & PHOENIXVILLE, PA. QUADS.

**SITE LOCATION MAP**  
**OCCIDENTAL CHEMICAL SITE, POTTSTOWN, PA.**  
 SCALE 1:24000

FIGURE 1



100-1144  
100-1144

LIST OF POTENTIALLY RESPONSIBLE PARTIES

1. Ms. Patricia E. Bailey  
Director of Office of Real Estate Sales  
General Services Administration  
Region IV  
75 Spring Street  
Atlanta, GA 30303  
404-331-5133
2. Mr. John Nevin, Chairman  
Firestone Tire & Rubber Company  
1200 Firestone Parkway  
Akron, OH 44317  
216-379-6386
3. Mr. Steven Schaefer, Executive Vice President  
Occidental Chemical Corporation  
Armond Hammer Blvd.  
Box 699  
Pottstown, PA 19464  
215-327-6400